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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	No. CR-07-00488 CW
)	
12 Plaintiff,)	AMENDED STIPULATION AND
)	[PROPOSED] ORDER CONTINUING
13 vs.)	STATUS HEARING
)	
14 ANDRE MATTHEWS, et al.)	Hearing Date: November 28, 2007
)	Requested Date: January 9, 2008
15 Defendant.)	
)	

16
17 It is hereby stipulated that the STATUS hearing date of November 28, 2007 be continued
18 to January 9, 2008 at 2:00 p.m. In addition, the parties stipulate and agree that time should be
19 excluded between November 28, 2007 until January 9, 2008 due to the ongoing investigation by
20 defense counsel. Two new defense counsel have very recently joined this case. It appears that
21 all defendants are now present, but the new counsel have had very little time to review the
22 discovery. Approximately 4000 pages of discovery have been produced to defense counsel in
23 electronic form. This electronic discovery has been converted to OCR searchable form by
24 defense counsel and distributed to all defense counsel. Seven CD-ROM's of discovery recently
25 received have not been reviewed. Calculation of loss value exposure will be a complicated
26

process in this case and is ongoing. The parties understand the court's preference for setting of motions by stipulation; however, the parties are not in a position to assess the time needed for discovery review or motions preparation. If possible, the parties will propose a motions schedule by stipulation prior to the requested next appearance.

The parties agree that the ends of justice served by the continuance requested herein outweigh the best interest of the public and the defendant in a speedy trial because the failure to grant the continuance would deny the counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Time should therefore be excluded pursuant to 18 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

11-27-07

Date

/s/

John Paul Reichmuth
Assistant Federal Public Defenders
Counsel for defendant Johnson

11-27-07

Date

/s/

Richard Tamor
Counsel for defendant Bacon

11-27-07

Date

/s/

Garrick Lew
Counsel for defendant Alexander

11-27-07

Date

/s/

Gail Shifman
Counsel for defendant Kautzman

11-27-07

Date

/s/

John Hemann
Counsel for defendant Matthews

11-27-07

Date

/s/

Laura Robinson
Counsel for defendant Enriquez

1 11-27-07

2 Date

/s/

Mark Goldrosen

Counsel for defendant Reyes

3 11-27-07

4 Date

/s/

Seth Chazin

Counsel for defendant Williams

5 11-27-07

6 Date

/s/

Ismail Ramsey

Counsel for defendant Arnold

7 11-27-07

8 Date

/s/

Diana Weiss

Counsel for defendant Green

9 11-27-07

10 Date

/s/

H.H. "Shashi" Kewalramani

Assistant United States Attorney

11 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)

12 within this efiled document.

/S/ John Paul Reichmuth

Counsel for Defendant Alicia Johnson

13 **ORDER**

14 Based on the reasons provided in the stipulation of the parties above, the Court hereby

15 finds that the ends of justice served by the continuance requested herein outweigh the best

16 interest of the public and the defendant in a speedy trial because the failure to grant the

17 continuance would deny the counsel for the defendant the reasonable time necessary for effective

18 preparation, taking into account the exercise of due diligence. The Court makes this finding

19 because the parties continue to investigate the new discovery, which is voluminous.

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1 Based on these findings, IT IS HEREBY ORDERED THAT the STATUS hearing date of
2 November 28, 2007 at 2:00 p.m. be continued to January 9, 2008 and that time be excluded from
3 November 28, 2007 to January 9, 2008 pursuant to 18 U.S.C. §§3161 (h)(8)(A) and (B)(iv).

4 IT IS SO ORDERED.

5
6
7 _____
8 Date

Hon. Claudia Wilken
United States District Judge